

## CHAPTER 104

### DISCLOSURE OF FOUNDED CHILD ABUSE INFORMATION — FATALITIES OR NEAR FATALITIES

H.F. 545

**AN ACT** relating to the public disclosure of information regarding founded child abuse involving a child fatality or near fatality.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 235A.15, subsection 10, Code 2017, is amended to read as follows:

10. The information released by the director of human services or the director's designee pursuant to a request made under [subsection 9](#) relating to a case of founded child abuse involving a fatality or near fatality to a child shall include all of the following, unless such information is excepted from disclosure under [subsection 9](#):

a. Any relevant child abuse information concerning the cause of and circumstances surrounding the child fatality or near fatality, including the age and gender of the child or the child's family and the department's response and findings.

b. Information describing any previous child abuse or neglect investigations of the caregivers responsible for the child abuse or neglect that are pertinent to the child abuse or neglect that led to the child fatality or near fatality, and the results of any such investigations.

~~b. c.~~ A summary of information, that would otherwise be confidential under [section 217.30](#), as to whether or not the child or a member of the child's family was utilizing social services provided by the department at the time of the child fatality or near fatality or within the five-year period preceding the fatality or near fatality.

e. ~~d.~~ Any recommendations made by the department to the county attorney or the juvenile court.

~~d. e.~~ If applicable, a summary of an evaluation of the department's responses in the case. The services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality.

Sec. 2. Section 235A.15, subsection 11, paragraph b, Code 2017, is amended to read as follows:

b. If release of social services information in addition to that released under [subsection 10](#), paragraph "b" "c", is believed to be in the public's interest and right to know, the director of human services or the director's designee may apply to the court under [section 235A.24](#) requesting a review of the information proposed for release and an order authorizing release of the information. A release of information that would otherwise be confidential under [section 217.30](#) concerning social services provided to the child or the child's family shall not include information concerning financial or medical assistance provided to the child or the child's family.

Approved April 21, 2017